

**STILLWATER COUNTY
COMMISSIONER MINUTES**

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| <p>Notice: These minutes reflect the proceedings of the Board of County Commissioners. The official minutes are on file with the Clerk and Recorder MCA 7-4-2611(2)(b).</p> |
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**REGULAR MEETING
May 25, 2021**

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| PRESENT | Commissioner Mark Crago, Chair, Commissioner Tyrel Hamilton, Commissioner Steve Riveland, members; Shannon Fisher, Admin Assistant. Others Present: Maureen Wiltshire, DES; Randy Smith, SCSO; Jen Hoines, HR; Chip Kem; SCSO Kevin Ray, Road & Bridge; Heidi Stadel, C&R; Emily Schabacker, Stillwater County News; Citizens: Maureen Davey, Shirlee Keffer, Dan Doernbos. |
| PLEDGE | Commissioner Crago opened the meeting with the Pledge of Allegiance. |
| MINUTES | May 11, 2021 Commissioner Hamilton MOVED to approve the minutes as presented. Commissioner Riveland SECONDED . No discussion. <u>Motion passed unanimously.</u> |
| CLAIMS | None presented. |
| RECOGNITION | Alesha Timm for 15 years, Nancy Rohde for 10 years. |
| ANNOUNCEMENTS | Commissioner Crago announced that the June 1 agenda meeting will be a traveling agenda meeting in Fishtail at 6:30 p.m. at Hanna Hall. Kevin Ray announced that the Road & Bridge Department will have phone coverage available Monday through Friday from 7:00 a.m. to 5:30 p.m. |
| FILE ITEMS | <u>Commission</u> A) Montana DES Letter of Appointment B) Arete Termination Letter C) DEQ Letter Absarokee Wastewater Treatment Improvements D) Whitten Borges courthouse structural findings letter |
| CONSENT Agenda | <u>Commission</u> A) Beartooth Electric Grant Letter of Intent B) Anderson Engagement Letter Commissioner Riveland MOVED to file the file items and consent to the consent agenda. Commissioner Hamilton SECONDED . Discussion – Emily Schabacker asked what the Montana DES letter of appointment is. Commissioner Crago explained that this formally places Maureen Wiltshire as the County’s representation to State DES. Shirlee Keffer asked if she could get a copy of the Whitten Borges letter. Commissioner Crago responded that yes, a copy can be made and the report showed that there have been no significant changes. There are more cracks that are evident but there has been no significant settling of the building since the last review. Maureen Davey stated that it is very important to keep using this building. The Sheriff’s office needs a whole new facility but it is important to use the courthouse for county offices in the future. Emily Schabacker asked the Commission to discuss the Arete termination letter. Commissioner Crago explained that this is the official closeout with Arete. There was a discussion prior to this addressing that the county would not be continuing services. This is the final letter agreeing to the termination of services. Emily Schabacker asked to discuss the Beartooth Electric Grant Letter of Intent. Commissioner Crago explained |

that there is a post fire mitigation grant that Beartooth Electric is applying for. There are poles in the Pinecrest area across the Yellowstone River. Beartooth Electric has a project to put a new substation in north of the river on the Pinecrest side so the poles will no longer be in the river. The county will have to sponsor the grant. The grant is a 75/25 match meaning the grant will pay for 75% of the project and the county via Beartooth Electric will 25%. The letter of intent shows the county's willingness to work with Beartooth Electric for this grant. Motion passed unanimously.

REGULAR BUSINESS Finance

A) Public View Software Purchase. Commissioner Hamilton **MOVED** to approve the Public View software purchase. Commissioner Riveland **SECONDED**. Discussion – Commissioner Hamilton stated that the amount for this purchase is \$1615.00 annually through Black Mountain Software. Commissioner Crago noted that this software will allow the county to post certain components of the budget online in a searchable format for the public. Shirlee Keffer asked if it would be noted somewhere in their publication about who the Commissioners and other committee members are for transparency and historical purposes as to who served on the project. Commissioner Crago explained that it is listed on the website but this software is all budgetary. Maureen Davey noted that the minutes and agenda are on the website but not the resolutions, are they on the new website. Commissioner Hamilton replied that he did not think they were a part of the old website. The old website was integrated into the new website so the Commission can look into having them posted on the current website. Commissioner Crago explained that an overall image of the budget will be available for viewing and it will show where funds are being expended. Shirlee Keffer stated that she still does not know how much money is in the facilities capital improvement fund and that amount is not clear on the printout from the Treasurers office either. Motion passed unanimously.

B) Resolution 2021-08 establishing elected official's salaries for FY2021-2022. Commissioner Riveland **MOVED** to approve Resolution 2021-08 establishing elected official's salaries for FY2021-2022. Commissioner Hamilton **SECONDED**. Discussion – Maureen Davey asked what was the percent increase. Commissioner Riveland responded that the increase was 3%. Maureen stated that reviewing the last three years there was an \$8000.00 increase from 2018 to 2020. Commissioner Crago stated that he had spoken to a Carbon County Commissioner and they are considering a 3.5% increase. Maureen stated that we do not have to be the same as everybody around Yellowstone because we are Stillwater County. Motion passed unanimously.

Economic Development

A) Adopt Capital Improvement Plan "CIP" Resolution 2021-09. Commissioner Hamilton **MOVED** to adopt Capital Improvement Plan "CIP" Resolution 2021-09. Commissioner Riveland **SECONDED**. No discussion. Motion passed unanimously.

B) Stahley Engineering Scope and Work/Fee for EDA Road Improvement Projects West Rosebud and Fiddler Creek Road in the Amount of \$426,014.00. Commissioner Riveland **MOVED** to approve the Stahley Engineering Scope and Work/Fee for EDA Road Improvement Projects West Rosebud and Fiddler Creek Road in the Amount of \$426,014.00. Commissioner Hamilton **SECONDED**. Discussion – Maureen Davey asked if this project will all be county funds or will there be grants. Commissioner Crago responded that this is approximately \$2.3 million dollars in EDA grant money. Commissioner Crago added that there is a \$600,000.00 county match. Commissioner Hamilton noted that this was a part of the presentation the county had last summer. Motion passed unanimously.

Road & Bridge

A) Review two letters received from Kevin Schneidt and Weston Downs for removal of cargates/cattleguards M-3, M-4 and M-13 located on Columbus-Molt Road between Ross Road and Coles Road (Policy 6-03-01). Commissioner Hamilton **MOVED** to approve the removal of two cargates, M-3, M4 and M-13 located on Columbus-Molt Road between Ross Road and Coles Road. Commissioner Riveland **SECONDED**. Discussion – Kevin Ray stated that the cargates are no longer in use. Weston Downs would prefer to fence the road out as he

does not want the cattle on the road. This will also be better for road and bridge to maintain the road. Motion passed unanimously.

B) Encroachment permit in Molt (Big Sky State Games) – No action taken.

C) Viewers report for abandonment for unnamed county road #7. Commissioner Riveland **MOVED** to approve the viewers report for abandonment for unnamed county road #7. Commissioner Hamilton **SECONDED**. Discussion – Commissioner Hamilton read the attached viewers report for unnamed county road #7. Motion passed unanimously.

D) Viewers report for abandonment for unnamed county road #82. Commissioner Hamilton **MOVED** to viewers report for abandonment for unnamed county road #82. Commissioner Riveland **SECONDED**. Discussion - Commissioner Hamilton read the attached viewers report for unnamed county road #82. Commissioner Crago noted that the public hearings for these road abandonments will be held today at 9:30 and 9:45. Motion passed unanimously.

Public Health

A) Task Order amendment #2 for COVID immunization services in the amount of \$34,664.00. Commissioner Riveland **MOVED** to approve task order amendment #2 for COVID immunization services in the amount of \$34,664.00. Commissioner Hamilton **SECONDED**. Discussion – Emily Schabacker asked what this is. Commissioner Crago responded that this is the first amendment to the contract to add the state pass through to Stillwater Billings Clinic to help administer the COVID vaccines. Motion passed unanimously.

PUBLIC COMMENTS ON COUNTY BUSINESS – Shirlee Keffer greeted the Commissioners and stated that she will be unable to attend the upcoming Thursday meeting. Shirlee stated that after the meeting last week she was surprised that the Library building would be relocated to the east side of the courthouse but has gone from 5000 square feet to a two story 13,600 square foot building. This is not acceptable. Provided that there are funds available Shirlee stated that she would support the construction of the law and justice center. Shirlee further stated that she would expect that all departments would be under the same roof and that the current building that houses the County Attorney offices would be up for sale. Shirlee went on to state that she believes it would be ill advised to have the extension services located and isolated on sheep dip road where the proposed fairgrounds are to be situated. Their office needs to be with the other county services. The office complex, no new building, use the current courthouse and work on a plan that would install an elevator and the restrooms. In the event the law and justice complex are built, this would free up 8,000 square feet in the existing building. If the people of Stillwater County want to preserve the courthouse, then let's use it as what it is intended to be used for which is county services. The five-year plan is all subject to available funds. No increase of property taxes to "we the people" of Stillwater County. Maintenance is an issue for all county owned property.

Maureen Davey stated that she supports using this building outside of law and justice. If the building is not used it may look like the Norton House and the County has already put \$360,00.00 into the steps, she thinks we need to use this courthouse for county business.

With no further comments heard the meeting was recessed at 9:23 a.m. until 9:30 a.m. for the public hearing on the abandonment for unnamed county road #7.

Open Public Hearing:

Commissioner Crago opened the public hearing.

Reason for Public Hearing:

Commissioner Crago made introductions and announced the Public Hearing is being held for the abandonment of a portion of unnamed county road #7. The viewers report was read during the regular agenda meeting.

Background on Unnamed Road #7

Kevin Ray stated that there is no background on this road.

Questions and Comments:

Bill Murphy stated that he just wanted to petition to get it closed. As long as he has been there, which is twenty years, it has been abandoned.

Proponents: Commissioner Crago called for proponents by stating aye. Four proponents were noted.

Opponents: Commissioner Crago called for opponents by stating aye. Zero opponents were noted.

Commissioner Crago stated that there were no protests received in their office and no protests during the hearing.

Commissioner Hamilton **MOVED** to approve the abandonment of unnamed county road #7. Commissioner Riveland **SECONDED**. No Discussion. Motion passed unanimously.

Commissioner Crago recessed until 9:45 a.m.

Open Public Hearing: Commissioner Crago opened the public hearing.

Reason for Public Hearing: Commissioner Crago made introductions and announced the Public Hearing is being held for the abandonment of a portion of unnamed county road #82. The viewers report was read during the regular agenda meeting.

Background on Unnamed Road #82 Kevin Ray stated that there is no history of any maintenance on this road.

Questions and Comments: Bill Murphy stated has never seen where the road even starts. Commissioner Hamilton stated that you can notice where it starts between the two wheat fields but is basically not visible near the end. Kevin Ray stated that one culvert and a delineator were found. Commissioner Hamilton noted that it has been along time since this road has had any traffic.

Proponents: Commissioner Crago called for proponents by stating aye. Four proponents were noted.

Opponents: Commissioner Crago called for opponents by stating aye. Zero opponents were noted.

Commissioner Crago stated that there has been no public protest received on this abandonment and the Commission is set for a decision for unnamed county road #82.

Commissioner Hamilton **MOVED** to approve the abandonment of unnamed road #82. Commissioner Riveland **SECONDED**. No Discussion. Motion passed unanimously.

With no further comments heard the meeting was adjourned at 9:48 a.m.

APPROVED BY: /s/ Mark Crago, Commissioner Chairman
ATTEST: Heidi L. Stadel, Clerk and Recorder